

REMARKS

Summary

In this Office Action, claims 21-30 and 32 stand rejected under 35 U.S.C. § 103.

No amendments are presented.

Attorney Docket Number

Please change Attorney Docket No. to 107773-132358.

Rejections under § 103: *Begis/Morley*

In this Office Action, claims 21-30, and 32 stand rejected under 35 U.S.C. § 103 as being unpatentable over Begis (U.S. Patent No. 6,907,034) (hereinafter “Begis”) in view of Morley et al (U.S. Patent No. 6,985,589) (hereinafter “Morley”). The Applicants respectfully traverse this rejection.

Claim 21 recites an apparatus for use at a local site comprising:

- an adapter configured to couple the apparatus to a voice network;
- an input key coupled to the adapter and configured, upon actuation, to initiate a negotiation procedure to procure an access code via the voice network;
- a network interface configured to couple the apparatus to a data network to provide a data network session of a data conference based at least in part on the access code;
- an image processor coupled to the network interface and configured to communicate image data with the network interface;
- a projector for displaying an image based at least in part on image data transmitted over the data network from a remote dataconferencing appliance at a remote site, the projector configured to display the image at the local site; and
- a housing adapted to incorporate the adapter, the input key, the network interface, the image processor, and the projector into an integrated dataconferencing appliance.

In the Office Action Begis is relied upon to teach many of the elements of claim 21. It is conceded that Begis fails to teach a projector and a housing incorporating the elements of the apparatus of claim 21. Morley is provided to teach a “projector being part of an integrated data conferencing appliance housing an adapter, an input key, a network interface, an image processor, and the projector.” Office Action, page 5.

The Applicants would like to make it clear that Morley clearly does not teach an integrated data conferencing appliance. While the Examiner may argue, as he appears to in section four of the Office Action, that the teachings of Morley combined with Begis suggest such an appliance, it is inaccurate to say that Morley teaches one.

A finding of obviousness requires a teaching, suggestion, or motivation (TSM) to combine or modify teachings of the prior art to produce the claimed invention. *In re Kahn*, 441 F.3d 977, 986 (Fed.Cir. 2006). There are three possible sources for finding TSM: (1) the nature of the problem to be solved; (2) the teachings of the prior art; or (3) the knowledge of persons of ordinary skill in the art. *In re Rouffet*, 149 F.3d 1350, 1357 (Fed.Cir. 1998). In the present instance it is clear that there is no TSM to combine or modify the teachings of Begis and Morley to produce the invention as claimed in claim 21 in any of these sources.

The TSM is not found in the nature of the problem to be solved.

The Examiner alludes to this source for TSM on page eight of the office action by saying both references “teach systems where image data is sent from a remote device over a network to a local device where the image is displayed. Since Begis and Morley et al. deal with similar problems there is motivation to combine the teachings of the reference.” Applicants assume that the “similar problems” referred by the Examiner are problems associated with the transmission of image data over a network for local display, which would be the only problems common to the references. The Applicants are confused as to how these problems would motivate the combination of the elements of these references in a manner to produce the invention as claimed in claim 21. This is

especially perplexing as the purported problems dealt with by Begis and Morley are not the same problems addressed by the teachings of the present invention.

As described in the background section of the present specification, prior art techniques for providing an integrated voice and data conferencing session were difficult, expensive, and time-consuming to set up. This is especially the case if the location where the session is to be established, e.g., a conference room, does not have dedicated data conferencing equipment, e.g., a computer. Furthermore, when a data conferencing session is established in a conference room, it is common for more than one attendee to be at the site. Therefore, a laptop computer having a user-specific display may also have present significant shortcomings. Embodiments of the present invention teach a portable, integrated data conferencing appliance that a user may easily transport and set-up. When the appliance is set-up it will establish a data conferencing session including both data and voice traffic for the benefit of all attendees with little difficulty.

Because neither Begis nor Morley address the problems associated with the transport and set-up of the data conferencing equipment (nor do their common problems motivate combination of their teachings), there is no TSM found in the nature of the problem to be solved.

The TSM is not found explicitly or implicitly in the teachings of either Begis or Morley.

Page six of the Office Action states that Morley suggests combination of components into a single integrated data conferencing appliance. The Applicants traverse this statement. At best, Morley suggests combination of certain components of a theater module into a single integrated appliance. However, without identifying a TSM to combine this teaching with the data conferencing components of Begis, it is improper to combine these teachings.

Providing a venue for watching films, as is the case in Morley, does not have the same operational constraints or objectives as providing a data conferencing session. Accordingly, whatever motivation Morley may have for integrating the components of

the theater system, which is not discussed, cannot be assumed to be applicable to integrating components used for a data conferencing session.

Similarly, Begis also fails to provide TSM for integration of its components (and inclusion of a projector) in the manner recited in claim 21. While Begis arguably discloses many of the components of claim 21, it does not discuss or suggest integrating them into a single data conferencing appliance, nor does it discuss or suggest any reasons that might make such integration desirable.

Because there are no explicit or implicit teachings in either Begis or Morley that would suggest combining the integration teachings of Morley with the data conferencing teachings of Begis, there is no TSM found in these references.

The TSM is not found in the knowledge of persons of ordinary skill in the art.

Page six of the Office Action states that the motivation to combine the teachings of Begis and Morley is “to allow all the necessary device components to be purchased in a single, self-contained unit, to simplify number of devices needed to set up a data conferencing network.” Because this motivation is not identified as being sourced from either of the references, nor is it related to the problems to which they are addressed, the Applicants assume that the Examiner believes this is motivation found in the knowledge of persons of ordinary skill in the art. However, this motivation appears to be taken directly from the Applicants’ specification. See, e.g., paragraph [0078]: “[a]dvantageously, integration of projection display device 1120 in dataconferencing projector appliance 1111 improves portability of the dataconferencing system and simplifies setup at conference sites.”

Knowledge of those of ordinary skill in the art at the time of the invention placed computers at the center of a data conference session for two reasons. First, most computers were already connected to a network. Second, computers are typically the source of the data to be communicated in a data conferencing session. Accordingly, utilizing a computer to provide the network connection for the data conferencing session represented the prevailing understanding of data conferencing at the time. Therefore, it would be counterintuitive for a person skilled in the art at the time of the invention to

take components of the computer, e.g., network interface, and integrate those components with the other components of the data conferencing appliance of claim 21, e.g., the projector, input key and adapter.

For at least these reasons, the TSM cannot be found in the knowledge of persons of ordinary skill in the art.

The present inventors have presented a unique and novel selection of components to be integrated into a data conferencing appliance. The resulting data conferencing appliance works to address the above identified shortcomings of prior art by integrating the components for establishing the data-conferencing session and presenting the data portion of the session to an audience. While a computer may still be used as a data source, it is no longer a component essential for establishing the session. Relegating the computer to a peripheral role in data conferencing reduces complexity, cost, and set-up time of such sessions.

CONCLUSION

Applicant respectfully submits that the claims 21-30 and 32 are presented in allowable form. Accordingly, a Notice of Allowance is respectfully requested.

If the Examiner has any questions, he is invited to contact the undersigned at (503) 796-2972.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Respectfully submitted,
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